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**From:** Johnson, Kathleen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D36DE0CD8EE14FF6A6AA2F1DF9B159F6-KJOHNS05]  
**Sent:** 4/17/2017 3:42:11 PM  
**To:** Moutoux, Nicole [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=574b3a85014d46d3965b59700a04a55e-NMOUTOUX]; Goforth, Kathleen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0821ccf0ea9e4c18a3d2a583158b713e-KGOFORTH]; Brush, Jason [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ade1a32824404ed5a333dcd77f2dfc4a-JBRUSH]  
**Subject:** FW: Rosemont letter

As far as I know, we only know about the Gov's letter because others have seen it and not because it has been put in controlled correspondence for us to respond to. From your reading of the letter, is a response required?

Kathleen H. Johnson  
Director, Enforcement Division  
U.S. EPA - Region 9  
75 Hawthorne Street ENF-1  
San Francisco, CA 94015  
415/972-3873  
johnson.kathleen@epa.gov

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**From:** Tomiak, Robert  
**Sent:** Saturday, April 15, 2017 3:24 AM  
**To:** Johnson, Kathleen <Johnson.Kathleen@epa.gov>  
**Cc:** Moutoux, Nicole <Moutoux.Nicole@epa.gov>; Goforth, Kathleen <Goforth.Kathleen@epa.gov>; Suriano, Elaine <Suriano.Elaine@epa.gov>; Knight, Kelly <knight.kelly@epa.gov>; Marshall, Tom <marshall.tom@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Goodin, John <Goodin.John@epa.gov>; Brush, Jason <Brush.Jason@epa.gov>  
**Subject:** Re: Rosemont letter

I appreciate the clarification. Just so I'm clear, Alexis is still providing an update to the political team, correct? Do you know who that goes to?

Second, you all are drafting a response to the letter. Is Alexis "responding on behalf of the Administrator" or providing a recommended response to OICR (or someone else) to staff at HQ?

Just want to ensure I understand and can support all the pieces.

Thanks, Rob

On Apr 14, 2017, at 7:38 PM, Johnson, Kathleen <[Johnson.Kathleen@epa.gov](mailto:Johnson.Kathleen@epa.gov)> wrote:

Hey Rob,

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suggestions.

We will get you copies of the letters you requested.

Thanks, and we will be in touch on this next week.

Kathleen H. Johnson  
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**From:** Tomiak, Robert  
**Sent:** Friday, April 14, 2017 7:01 AM  
**To:** Moutoux, Nicole <[Moutoux.Nicole@epa.gov](mailto:Moutoux.Nicole@epa.gov)>; Johnson, Kathleen <[Johnson.Kathleen@epa.gov](mailto:Johnson.Kathleen@epa.gov)>  
**Cc:** Goforth, Kathleen <[Goforth.Kathleen@epa.gov](mailto:Goforth.Kathleen@epa.gov)>; Suriano, Elaine <[Suriano.Elaine@epa.gov](mailto:Suriano.Elaine@epa.gov)>; Knight, Kelly <[knight.kelly@epa.gov](mailto:knight.kelly@epa.gov)>; Marshall, Tom <[marshall.tom@epa.gov](mailto:marshall.tom@epa.gov)>; Eisenberg, Mindy <[Eisenberg.Mindy@epa.gov](mailto:Eisenberg.Mindy@epa.gov)>; Goodin, John <[Goodin.John@epa.gov](mailto:Goodin.John@epa.gov)>; Brush, Jason <[Brush.Jason@epa.gov](mailto:Brush.Jason@epa.gov)>  
**Subject:** RE: Rosemont letter

One point, one ask, and one recommendation:

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Thanks, Rob

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**From:** Moutoux, Nicole  
**Sent:** Thursday, April 13, 2017 6:24 PM  
**To:** Tomiak, Robert <[tomiak.robert@epa.gov](mailto:tomiak.robert@epa.gov)>; Johnson, Kathleen <[Johnson.Kathleen@epa.gov](mailto:Johnson.Kathleen@epa.gov)>  
**Cc:** Goforth, Kathleen <[Goforth.Kathleen@epa.gov](mailto:Goforth.Kathleen@epa.gov)>; Suriano, Elaine <[Suriano.Elaine@epa.gov](mailto:Suriano.Elaine@epa.gov)>; Knight, Kelly <[knight.kelly@epa.gov](mailto:knight.kelly@epa.gov)>; Marshall, Tom <[marshall.tom@epa.gov](mailto:marshall.tom@epa.gov)>; Eisenberg, Mindy

<[Eisenberg.Mindy@epa.gov](mailto:Eisenberg.Mindy@epa.gov)>; Goodin, John <[Goodin.John@epa.gov](mailto:Goodin.John@epa.gov)>; Brush, Jason  
<[Brush.Jason@epa.gov](mailto:Brush.Jason@epa.gov)>

**Subject:** Re: Rosemont letter

Hi Rob-

Per Kathleen's message below, here is the 1-pager on Rosemont that our Acting RA will send out later today.

Thanks

Nicole

Nicole G. Moutoux  
Assistant Director  
Enforcement Division, ENF-4  
desk 415-972-3012  
mobile 415-271-0701  
[Moutoux.Nicole@epa.gov](mailto:Moutoux.Nicole@epa.gov)

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**From:** Tomiak, Robert

**Sent:** Wednesday, April 12, 2017 4:12:00 PM

**To:** Johnson, Kathleen

**Cc:** Moutoux, Nicole; Goforth, Kathleen; Suriano, Elaine; Knight, Kelly; Marshall, Tom; Eisenberg, Mindy; Goodin, John; Brush, Jason

**Subject:** Re: Rosemont letter

Good plan; thanks! Rob

On Apr 12, 2017, at 6:46 PM, Johnson, Kathleen <[Johnson.Kathleen@epa.gov](mailto:Johnson.Kathleen@epa.gov)> wrote:

I spoke with Alexis about this today. She puts together an email every Thursday and sends to the political team in Washington. She would like to provide the issue paper to the team through the mechanism of her Thursday email. FYI, yesterday, we hosted Ken Wagner, who is a newly installed political serving as a Regional Liaison to the Administrator. She gave Ken a heads up on this issue when he was here yesterday.

We had created a one-pager on this to put in a briefing book for our new (anticipated) RA. We can dust off that paper and add the latest info.

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**From:** Tomiak, Robert

**Sent:** Wednesday, April 12, 2017 4:17 AM

**To:** Moutoux, Nicole <[Moutoux.Nicole@epa.gov](mailto:Moutoux.Nicole@epa.gov)>; Johnson, Kathleen

<[Johnson.Kathleen@epa.gov](mailto:Johnson.Kathleen@epa.gov)>; Goforth, Kathleen <[Goforth.Kathleen@epa.gov](mailto:Goforth.Kathleen@epa.gov)>

**Cc:** Suriano, Elaine <[Suriano.Elaine@epa.gov](mailto:Suriano.Elaine@epa.gov)>; Knight, Kelly <[knight.kelly@epa.gov](mailto:knight.kelly@epa.gov)>;

Marshall, Tom <[marshall.tom@epa.gov](mailto:marshall.tom@epa.gov)>; Eisenberg, Mindy

<[Eisenberg.Mindy@epa.gov](mailto:Eisenberg.Mindy@epa.gov)>; Goodin, John <[Goodin.John@epa.gov](mailto:Goodin.John@epa.gov)>

**Subject:** Re: Rosemont letter

One follow up thought: would also appreciate your thoughts on who should forward an issue paper...OW, OECA, or R9....

Thanks, Rob

On Apr 12, 2017, at 7:12 AM, Tomiak, Robert <[tomiak.robert@epa.gov](mailto:tomiak.robert@epa.gov)> wrote:

Very helpful; I appreciate the update. Given the visibility, I think we need to provide a status update to Byron; perhaps a one page issue paper. I will vet whatever you all draft with OW here before anything is sent forward by either of us.

Thanks, Rob

On Apr 11, 2017, at 3:08 PM, Moutoux, Nicole  
<[Moutoux.Nicole@epa.gov](mailto:Moutoux.Nicole@epa.gov)> wrote:

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**Deliberative Process / Ex. 5**

## **Deliberative Process / Ex. 5**

Please feel free to call us with any questions or if you'd like more information.

Thanks  
Nicole

*Nicole G. Moutoux*  
**Assistant Director**  
**Enforcement Division, ENF-4**  
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**From:** Tomiak, Robert  
**Sent:** Friday, April 07, 2017 5:18 AM  
**To:** Moutoux, Nicole <[Moutoux.Nicole@epa.gov](mailto:Moutoux.Nicole@epa.gov)>;  
Goforth, Kathleen <[Goforth.Kathleen@epa.gov](mailto:Goforth.Kathleen@epa.gov)>;  
Suriano, Elaine <[Suriano.Elaine@epa.gov](mailto:Suriano.Elaine@epa.gov)>  
**Cc:** Knight, Kelly <[knight.kelly@epa.gov](mailto:knight.kelly@epa.gov)>; Marshall, Tom  
<[marshall.tom@epa.gov](mailto:marshall.tom@epa.gov)>; Johnson, Kathleen  
<[Johnson.Kathleen@epa.gov](mailto:Johnson.Kathleen@epa.gov)>  
**Subject:** RE: Rosemont letter

**Deliberative Process / Ex. 5**

Thanks, Rob

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**From:** Moutoux, Nicole  
**Sent:** Thursday, April 06, 2017 5:54 PM  
**To:** Tomiak, Robert <[tomiak.robert@epa.gov](mailto:tomiak.robert@epa.gov)>  
**Subject:** RE: Rosemont letter

Ok – please let me know a good time and number and we'll call you.

*Nicole G. Moutoux*  
**Assistant Director**  
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**From:** Tomiak, Robert  
**Sent:** Thursday, April 06, 2017 2:51 PM  
**To:** Moutoux, Nicole <[Moutoux.Nicole@epa.gov](mailto:Moutoux.Nicole@epa.gov)>  
**Cc:** Knight, Kelly <[knight.kelly@epa.gov](mailto:knight.kelly@epa.gov)>; Marshall, Tom <[marshall.tom@epa.gov](mailto:marshall.tom@epa.gov)>  
**Subject:** Re: Rosemont letter

I don't think Kelly will be in, but yes, let's discuss.

Rob

On Apr 6, 2017, at 5:46 PM, Moutoux, Nicole <[Moutoux.Nicole@epa.gov](mailto:Moutoux.Nicole@epa.gov)> wrote:

Hi Rob-  
Thanks for the conversation today. I know you are all are juggling a lot – I think it helps for staff to hear the context. On another note, I'm checking in on Rosemont. We received a copy of a letter sent to Administrator Pruitt from AZ governor and there are few other things going on related to the project. Are you and Kelly available tomorrow to speak with me and Kathy Goforth.

Thanks  
Nicole

*Nicole G. Moutoux*  
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